

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA

ALFREDO NIETO REYES,

Plaintiff,

vs.

JUDGMENT IN A CIVIL CASE
Civil Action No.5:05-cv-71

UNITED STATES OF AMERICA,

Defendant.

- [] **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- [X] **Decision by Court.** This action came before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED, pursuant to F.R.C.P. 58, that a judgment be entered.

It is therefore

ORDERED AND ADJUDGED that this Court Affirms and Adopts the Magistrate Judge's Report and Recommendation in its entirety. The Petitioner's 28 U.S.C. § 2241 Petition is DENIED. This civil action is DISMISSED WITH PREJUDICE and STRICKEN from the active docket of this court.

Wally Edgell, Clerk

By 
Clara M. Cottrell
Deputy Clerk

Dated this 26th day of October 2005